

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Complaint No. 53/2025/SCIC

Dr. Gurudas P. Mahambre,
C/o. Joe Enterprises, B2-67, Boshan Classic,
Opp. Bodgeswar Temple,
Mapusa, Calangute Road,
Mapusa, Goa.

----Complainant

V/s

The State Public Information Officer,
The Secretary of Village Panchayat Aldona,
Panchayat Building,
Aldona, Bardez Goa.

----Opponent

SHRI. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Complaint

Complaint received on	19/11/2025
First hearing held on	08/01/2026
Decided on	18/03/2026

Information sought and background of the Complaint

1. Shri. Gurudas P. Mahambre filed an application dated 18/07/2025 under RTI Act, 2005 to the PIO, Village Panchayat Aldona, Bardez, Goa seeking following information in connection with the construction of new house and compound wall carried out in Survey No. 397/3 of Village Aldona :

- i. " The construction/repair/extension/re-construction licence or the copy of renewal of such licence which has been issued by the Panchayat in Survey No. 397/3 of Village Aldona.*
- ii. If any such licence/permission is issued in Survey No. 397/3 at any point of time kindly provide the copy of the approved plan.*
- iii. If any such licence/permission is issued in Survey No. 397/3 also provide the relevant copy of the resolution passed by the Panchayat granting such licence and the minutes of the relevant board meeting of the Panchayat when the resolution was adopted.*

- iv. *Kindly provide the copy of the application for licence made by the applicant for carrying out the construction in Survey No. 397/3 of Village Aldona and also submit all the relevant documents submitted by the applicant on the basis of which the licence is issued.*
- v. *Kindly furnish the Action Taken Report in my complaints to the Village Panchayat concerning the illegal construction of new residential house and compound wall in survey no. 397/3 of Village Aldona”.*

2. In response to the RTI application, PIO (Village Panchayat, Aldona) vide letter dated 12/11/2025 furnished the following common reply/information to all the 04 RTI queries of the Appellant

“The requested information is not available in the Aldona Village Panchayat Office”.

3. Being aggrieved by the reply received from the PIO, Appellant filed first appeal dated 17/09/2025 before the First Appellate Authority (BDO, Bardez, Goa) stating that Opponent PIO did not reply within the prescribed time and unreasonably denied the information.

4. First Appellate Authority (BDO-I, Bardez) vide order dated 30/10/2025 directed the Opponent PIO to comply with the following within seven (07) days from the date of receipt of this Order.

A. "Furnish information : If the records exist, the PIO shall provide complete copy of all information and documents as requested in points (1) to (5) of the Appellant's RTI supplication dated 18/07/2025.

B. Formal Declaration of Non-Availability: If the records genuinely do not exist in the Village Panchayat, Aldona for Survey No. 397/3, the PIO shall issue a Formal Declaration of Non-Availability of Records to the Appellant. This Declaration must clearly state under the PIO's official signature and seal, that after a diligent search, no such records as requested in point (1) to (5) exist. This declaration must specifically detail; which documents are not available and why.

C. The PIO is cautioned to strictly comply with the provisions of the RTI Act and ensure timely replies in the future ".

5. Subsequently, Appellant preferred Complaint dated 19/11/2025 before the Commission praying for direction to the Opponent PIO to ensure compliance of the order of the First Appellate Authority and to take suitable action against the Opponent PIO for not complying with the order passed by the First Appellate Authority.

FACTS EMERGING IN THE COURSE OF HEARING

6. Pursuant to the filing of the Complaint, parties were notified fixing the matter for hearing on 08/01/2026 for which Adv. Shankar M. Phadte present for Complainant but none present for Opponent PIO.

Later, representative of the Opponent PIO appeared and filed the written submission dated 08/01/2026 of Opponent PIO. Presiding Commissioner directed the Opponent PIO to file appropriate point-wise reply as per RTI application before the next date of hearing slated for 11/02/2026.

7. Adv. Deepashri Phadte present for Complainant but none present for Opponent PIO. Since the matter is fixed for arguments, issued notice for invariable presence of Opponent PIO for the next date of hearing fixed on 18/03/2026.

8. When matter took up for argument on 18/03/2026, Opponent PIO present but none present for Complainant.

Complying with the oral direction issued by the Presiding Commissioner on 08/01/2026, Opponent PIO filed point wise revised information to the 05 point RTI application of the Complainant.

DECISION

Since the Opponent PIO furnished point-wise information to the 05 point RTI application dated 18/07/2025 of the Complainant after the intervention by the Presiding Commissioner, present Complaint is disposed off.

However, **Opponent PIO is hereby directed to show cause as to why penal action should not be initiated under section 20 (1) of the RTI Act, 2005 for -**

i) Causing inordinate delay in replying/furnishing information to the Appellant when the Section 7(3) of RTI Act, 2005 specify that the reply/information shall be furnished within 30 days from the receipt of the RTI application.

In the present matter, Complainant's RTI application dated 18/07/2025 was replied by the Opponent PIO on 12/11/2025 only.

ii) Failure to comply with the speaking order dated 30/10/2025 passed by the First Appellate Authority issuing specific direction to the Opponent PIO.

Opponent PIO's reply should reach the Commission within 10 days from the receipt of this order.

- Proceeding stands closed.
- Pronounced in Open Court.
- Notify the parties.

Aggrieved party if any, may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act, 2005.

Sd/-

(ARAVIND KUMAR H. NAIR)

State Chief Information Commissioner, GSIC

